

HB597

HOUSE COMMITTEE REPORT

FURTHER REFERRAL

(1)

Date Referred: May 13, 1992

Date of Committee Action: 5/14/92

The FINANCE Committee considered:

HB 597

HOUSE BILL NO. 597

CHARGES & FEES, ETC - STATE SERVICES

"An Act relating to the finances of state government; relating to charges and fees for various licenses, services, regulatory activities, and materials provided by the state including those related to motor vehicles and drivers of motor vehicles, to health and safety reviews, permits, and inspections, to hunting, fishing, and trapping, to occupational licenses, occupational certifications, and occupational training programs and plans, to notaries' commissions, to public offices, to identification cards, to state parks, to telecommunications, to public advocacy, to corrections, to pipeline carriers, and to public utilities; relating to the collection of donations to the state park system; and providing for an effective date."

RECOMMENDATIONS:

be replaced with CS HB 597 (FIN) the same title a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal impact NA

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) _____

SIGNING <u>DO PASS</u>	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Mike Navarre</i> NAVARRE	✓	<i>Thomas Barnes</i> Barnes		X	
<i>Ray Brown</i> BROWN	✓	<i>Richard Larson</i> Larson		X	
<i>Thomas Kopman</i> KOPMAN	✓	<i>Ch. E. C. Phillips</i> Phillips			
<i>George Jacko</i> JACKO	X	<i>Bert Sharp</i> Sharp		X	
<i>W. W. M. M. M.</i> M. M. M.	X				
<i>EP Macher</i> Macher	X				
<i>Mark Boyer</i> Boyer	X				

Mike Navarre *EP Macher*
 CHAIRMAN'S SIGNATURE
 NAVARRE Macher

CS FOR HOUSE BILL NO. 597 (FINANCE)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SPECIAL SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:

Referred:

Sponsor(s): HOUSE FINANCE COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the finances of state government; relating to charges and fees for
2 various licenses, services, regulatory activities, and materials; and providing for an effective
3 date."

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

5 * Section 1. AS 05.35.150 is amended to read:

6 Sec. 05.35.150. ALASKA AMATEUR SPORTS FUND. There is established as a
7 separate fund in the Department of Commerce and Economic Development the Alaska amateur
8 sports fund. The fund consists of private contributions and money appropriated to the fund from
9 receipts under former AS 28.10.421(f). Money in the fund may be appropriated for the
10 promotion and development of amateur sports.

11 * Sec. 2. AS 15.13.030 is amended to read:

12 Sec. 15.13.030. DUTIES OF THE COMMISSION. The commission shall

13 (1) develop and provide all forms for the reports and statements required to be
14 made under this chapter, AS 24.45, and AS 39.50;

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(2) prepare and publish a manual setting out uniform methods of bookkeeping and reporting for use by persons required to make reports and statements under this chapter and otherwise assist candidates, groups, and individuals in complying with the requirements of this chapter;

(3) receive and hold open for public inspection reports and statements required to be made under this chapter and, upon request, furnish copies at cost to interested persons;

(4) compile and maintain a current list of all filed reports and statements;

(5) prepare a summary of each report filed under AS 15.13.110 and make copies of this summary available to interested persons at their actual cost;

(6) notify, by registered or certified mail, all persons who are delinquent in filing reports and statements required to be made under this chapter;

(7) report within 60 days after the election the names of all persons and groups who have failed to comply with any of the provisions of this chapter to the office of the attorney general;

(8) examine, investigate, and compare all reports, statements, and actions required by this chapter, AS 24.45, and AS 39.50 and report to the attorney general the names of all persons or groups that [WHICH] the commission has substantial reason to believe have violated this chapter, AS 24.45, or AS 39.50;

(9) prepare and publish a biennial report to the legislature concerning the activities of the commission, the effectiveness of this chapter, its enforcement by the attorney general's office, and recommendations and proposals for change;

(10) adopt regulations necessary to implement and clarify the provisions of AS 24.45, AS 39.50, and this chapter, subject to the provisions of the Administrative Procedure Act (AS 44.62);

(11) establish by regulation a schedule of fees for reports, statements, and filings, delinquent reports, statements, and filings, and for services performed by the commission.

* Sec. 3. AS 16.05.340(a) is amended to read:

(a) Fees for licenses and tags are as follows:

(1) Resident sport fishing license \$ 15 [10]

However, the fee is 25 cents for a resident who is blind.

- 1 (2) Resident hunting license 25 [12]
- 2 (3) Resident hunting and trapping license 40 [22]
- 3 (4) Resident trapping license 15 [10]
- 4 (5) Resident hunting and sport fishing license 40 [22]
- 5 (6) Resident hunting, trapping, and sport fishing license 55 [32];

6 (A) however, the fee is \$5 for an applicant who

7 (i) is receiving or has received assistance during the preceding six
 8 months under any state or federal welfare program to aid the indigent, or

9 (ii) has an annual family gross income of less than \$8,200 for the
 10 year preceding application;

11 (B) a person paying \$5 for a resident hunting, trapping, and sport fishing
 12 license must provide proof of eligibility under this paragraph when requested by the
 13 departments.

14 (7) Nonresident special sport fishing license - valid for the period inscribed on
 15 the license

- 16 (A) For 14-day license \$ 30
- 17 (B) For three-day license 15
- 18 (C) For one-day license 10

19 (8) Nonresident sport fishing license 50

20 (9) Nonresident hunting license 85

21 (10) Nonresident hunting and sport fishing license 135

22 A nonresident may not take a big game animal without previously purchasing a numbered,
 23 nontransferable, appropriate tag, issued under (15) of this subsection. The tag must be affixed
 24 to the animal immediately upon capture and must remain affixed until the animal is prepared for
 25 storage, ~~consumed~~, or exported. A tag issued but not used for an animal may be used to satisfy
 26 the tagging requirement for an animal of any other species for which the tag fee is of equal or
 27 less value.

28 (11) Nonresident hunting and trapping license \$250

29 (12) Fur dealers

30 (A) Resident fur dealer biennial license 150

31 (B) Nonresident fur dealer biennial license 500

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- (13) Taxidermists
 - (A) Resident taxidermy biennial license 200
 - (B) Nonresident taxidermy biennial license 500
- (14) Aquatic farming triennial license 400
- (15) Nonresident big game tags
 - (A) Bear, black, each 225
 - (B) Bear, brown or grizzly, each 500
 - (C) Bison, each 450
 - (D) Caribou, each 325
 - (E) Deer, each 150
 - (F) Elk, each 300
 - (G) Goat, each 300
 - (H) Moose, each 400
 - (I) Sheep, each 425
 - (J) Wolf, each 175
 - (K) Wolverine, each 175
 - (L) Musk oxen, each 1,100
- (16) Resident big game tags
 - (A) Bear, brown or grizzly, each \$25

The Board of Game may, by regulation effective for not more than one year, eliminate the resident brown or grizzly bear tag and fee for all or a portion of a game management unit.

- (B) Musk oxen, each 500

However, the Board of Game may by regulation reduce or eliminate the fee for a resident big game tag for musk oxen for an open season.

- ~~(17)~~ (17) Waterfowl conservation tag 5

- (A) A person may not engage in waterfowl hunting without having the current year's waterfowl tag in the person's actual possession, unless that person
 - (i) qualifies for a \$5 license fee under (6) of this subsection;
 - (ii) is a resident under the age of 16;
 - (iii) is 60 years of age or older and is a resident;
 - (iv) is a disabled veteran eligible for a free license under

AS 16.05.341.

(B) The Board of Game shall by regulation exempt the requirement of a waterfowl conservation tag for waterfowl hunting in areas of the state not likely to benefit from programs described in AS 16.05.130(b)(2) - (4).

(18) Game farming

(A) Game mammal or game reptile farming biennial license . . . \$250

(B) Game bird farming biennial license 50

(19) Nonresident small game hunting license 20

(20) Nonresident alien hunting license 300

A nonresident alien may not take a big game animal without previously purchasing a numbered, nontransferable, appropriate tag, issued under (21) of this subsection. The tag must be affixed to the animal immediately upon capture and must remain affixed until the animal is prepared for storage, consumed, or exported. A tag issued but not used for an animal may be used to satisfy the tagging requirement for an animal of any other species for which the tag fee is of equal or less value.

(21) Nonresident alien big game tags

(A) Bear, black, each \$300

(B) Bear, brown or grizzly, each 650

(C) Bison, each 650

(D) Caribou, each 425

(E) Deer, each 200

(F) Elk, each 400

(G) Goat, each 400

(H) Moose, each 500

(I) Musk oxen, each 1,500

(J) Sheep, each 550

(K) Wolf, each 250

(L) Wolverine, each 250

(22) Chitina personal use salmon dip net fishing permit 10

(23) Resident king salmon tag 10

A resident may not engage in sport fishing for king salmon without having the current

1 year's king salmon tag in the resident's actual possession, unless that person

2 (A) qualifies for a 25 cent license fee under (1) of this subsection;

3 (B) is under the age of 16;

4 (C) is 60 years of age or older and has been a resident of the state for
5 at least one year;

6 (D) is a disabled veteran eligible for a free license under AS 16.05.341;

7 or

8 (E) qualifies for a \$5 license fee under (6) of this subsection.

9 (24) Nonresident king salmon tag \$20

10 A nonresident may not engage in sport fishing for king salmon without having the current
11 year's king salmon tag in the person's actual possession.

12 * Sec. 4. AS 16.05.350 is amended to read:

13 Sec. 16.05.350. EXPIRATION OF LICENSES AND TAGS. Licenses and tags required
14 under AS 16.05.330 - 16.05.430, except biennial licenses, the nonresident special sport fishing
15 license, the resident trapping license, and the waterfowl conservation tag, expire at the close of
16 December 31 following issuance. Biennial licenses expire after December 31 of the year
17 following the year of issuance. The resident trapping license expires at the close of September
18 30 of the year following the year in which the license is issued. The waterfowl conservation tag
19 expires at the close of January 31 of the year following the year of issue of the tag. The wildlife
20 conservation tag under AS 16.05.828 expires at the close of December 31 following issuance.

21 * Sec. 5. AS 16.05 is amended by adding a new section to read:

22 Sec. 16.05.828. WILDLIFE CONSERVATION TAG PROGRAM. (a) In order to
23 provide support for the wildlife conservation activities of the department, there is established the
24 wildlife conservation tag program.

25 (b) ~~The~~ The commissioner shall provide a patch, emblem, decal, stamp, or other suitable item
26 to serve as a wildlife conservation tag. The wildlife conservation tag and proof of purchase of
27 a wildlife conservation tag shall be available through vendors of fish and game licenses.

28 (c) The commissioner shall establish the cost of a wildlife conservation tag by regulation.

29 (d) The proof of purchase of a wildlife conservation tag entitles the purchaser, after
30 complying with other applicable statutes and regulations, to

31 (1) apply, under terms and at locations established by the commissioner by

1 regulation, for a permit to enter an area identified by the commissioner by regulation where a
2 permit is required for entry into the area; and

3 (2) enter a state game or wildlife sanctuary, and as identified by the commissioner
4 by regulation, other land designated as a state game refuge, state range area, or fish and game
5 critical habitat area, where a permit is not required for entry into the area.

6 (e) The commissioner may designate by regulation those state game and wildlife
7 sanctuaries, state game refuges, state range areas, and fish and game critical habitat areas where
8 possession of a valid hunting license during open hunting seasons or of a subsistence hunting or
9 fishing permit that is valid for that location may substitute for a wildlife conservation tag.

10 (f) The revenue received from the sale of wildlife conservation tags may be appropriated
11 by the legislature to the department for programs that benefit nongame species of wildlife,
12 threatened and endangered species of wildlife, wildlife education, and wildlife viewing. In this
13 subsection,

14 (1) "nongame species" means a species of wildlife that may not be taken under
15 a hunting or trapping license; and

16 (2) "wildlife" means a species of bird, amphibian, reptile, or mammal, including
17 a feral domestic animal, found or introduced into the state, except domestic birds and mammals.

18 (g) The department may contract with a person to perform the responsibilities of the
19 department under this section to provide a wildlife conservation tag. Contracting under this
20 subsection is governed by AS 36.30 (State Procurement Code), except that a contract may include
21 provisions for advance payment or reimbursement for services performed under the contract.

22 * Sec. 6. AS 18.31.200 is amended by adding a new subsection to read:

23 (g) The Department of Labor shall adopt by regulation a fee schedule for

24 (1) review, approval, and certification of asbestos training certification programs
25 and plans ~~under~~ this section; and

26 (2) certification of a person employed to abate an asbestos health hazard.

27 * Sec. 7. AS 18.65.310(a) is amended to read:

28 (a) Upon payment of a \$10 [\$5] fee, the Department of Public Safety shall issue a card
29 identical to the motor vehicle operator's license provided for in AS 28.15.111, except that the
30 card shall be of a different color and shall state in bold type letters across the face of it that it
31 is for identification purposes only.

1 * Sec. 8. AS 28.10.108(b) is amended to read:

2 (b) Subject to the provisions of (f) of this section, a vehicle subject to registration

3 (1) under AS 28.10.011 and 28.10.421(b)(3) [AND (4)] and (c)(1) - (4) shall have
4 its initial registration, and may have its annual registration, renewed during the month of
5 December;

6 (2) under AS 28.10.181, 28.10.411 and 28.10.421(d)(3) and (8) [(9)] shall have
7 its initial registration, and may have its annual registration, renewed during the month of January.

8 * Sec. 9. AS 28.10.421(b) is amended to read:

9 (b) The annual registration fees under this subsection are imposed within the following
10 classifications for:

11 (1) a passenger vehicle [OR MOTOR HOME] not used or maintained for the
12 transportation of persons or property for hire or for other commercial use \$70 [\$35];

13 (2) a pick-up truck or a van not exceeding 6,000 pounds unladen weight and not
14 used or maintained for the transportation of persons or property for hire or for other commercial
15 use \$75 [\$40];

16 (3) a taxicab \$200 [\$70];

17 (4) [A MOTOR BUS WITH A SEATING CAPACITY FOR 20 OR MORE
18 PERSONS AND USED EXCLUSIVELY FOR COMMERCIAL PURPOSES IN THE
19 TRANSPORTING OF VISITORS OR TOURISTS \$85;

20 (5)] a motorcycle or a motor-driven cycle \$50 [\$20];

21 (5) [(6)] a trailer not used or maintained for the transportation of persons or
22 property for hire or for other commercial use, including, but not limited to, a boat trailer, baggage
23 trailer, box trailer, utility trailer, house trailer, travel trailer, or a trailer rented or offered for rent
24 \$25; [\$5]

25 (6) a motor home not used or maintained for the transportation of persons
26 or property for hire or for other commercial use

27 (A) less than 10,000 pounds unladen weight \$100;

28 (B) 10,000 or more pounds unladen weight \$200.

29 * Sec. 10. AS 28.10.421(c) is amended to read:

30 (c) The annual registration fees under this subsection are imposed and are based upon
31 the actual unladen weight as established by the manufacturer's advertised weight or upon the

1 actual weight that [WHICH] the owner shall furnish, subject to the approval of the commissioner
2 or the commissioner's representative, for a vehicle used commercially or noncommercially and
3 for which a fee is not specified under (b) of this section [, INCLUDING A MOTOR
4 VEHICLE PULLING A TRAILER OR SEMI-TRAILER, USED OR MAINTAINED FOR THE
5 TRANSPORTATION OF PASSENGERS FOR HIRE, EXCEPTING TAXICABS AND BUSES
6 UNDER (b) OF THIS SECTION, OR FOR THE TRANSPORTATION OF PROPERTY FOR
7 HIRE OR FOR OTHER COMMERCIAL USE, INCLUDING A COMMERCIAL VEHICLE
8 SUCH AS A TRAILER, SEMI-TRAILER, TRUCK, WRECKER, TOW CAR, HEARSE,
9 AMBULANCE, AND TRACTOR], as follows

- 10 (1) up to and including 5,000 pounds \$100 [\$51];
11 (2) more than 5,000 pounds to and including 12,000 pounds . . . \$200 [\$86];
12 (3) more than 12,000 pounds to and including 18,000 \$300 [\$156];
13 (4) more than 18,000 pounds \$400 [\$221].

14 * Sec. 11. AS 28.10.421(c) is repealed and reenacted to read:

15 (c) The annual registration fees under this subsection are imposed and are based upon
16 the actual unladen weight as established by the manufacturer's advertised weight or upon the
17 actual weight that the owner shall furnish, subject to the approval of the commissioner or the
18 commissioner's representative, for a vehicle used commercially or noncommercially and for
19 which a fee is not specified under (b) of this section, as follows

- 20 (1) up to and including 5,000 pounds \$200;
21 (2) more than 5,000 pounds to and including 12,000 pounds \$400;
22 (3) more than 12,000 pounds to and including 18,000 \$600;
23 (4) more than 18,000 pounds \$800.

24 * Sec. 12. AS 28.10.421(d) is amended to read:

25 ~~(d)~~ The special registration fees under this subsection are imposed annually, unless
26 otherwise specified, for

- 27 (1) an historic vehicle (one time only upon initial registration under
28 AS 28.10.181) \$50 [\$10];
29 (2) special request plates for
30 (A) Alaska National Guard personnel \$50 [\$30];
31 (B) veterans or retired veterans \$50 [\$30];

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(C) recipients of the Purple Heart \$50 [\$30];

(D) other special request plates \$50 [\$30];

plus the fee required for that vehicle under (b) of this section; the fee required by this paragraph shall be collected only on the first issuance [AND ON THE REPLACEMENT] of special request plates;

(3) a vehicle owned by a disabled veteran or other handicapped person, and registered under AS 28.10.181 [OR A RESIDENT 65 YEARS OF AGE OR OLDER WHO FILES A WRITTEN APPLICATION FOR AN EXEMPTION ON A FORM PRESCRIBED BY THE DEPARTMENT] none;

(4) a vehicle owned by the state none;

(5) a vehicle owned by an elected state official

. the fee required for that vehicle under (b) of this section;

(6) [REPEALED

(7)] a vehicle owned by a rancher, farmer, or dairyman and registered under AS 28.10.181 \$75 [\$35];

(7) [(8)] a snowmobile or off-highway vehicle \$10 [\$5];

(8) [(9)] an amateur mobile radio station vehicle [,

(A) WITH A TRANSCEIVER CAPABLE OF LESS THAN 5-BAND OPERATION] the fee required for that vehicle under (b) or (c) of this section;

[(B) IN RECOGNITION OF SERVICE TO THE PUBLIC A MOBILE AMATEUR RADIO STATION OWNED BY AN AMATEUR WITH GENERAL CLASS OR HIGHER LICENSE, PROVIDED THE STATION MUST BE SATISFACTORILY PROVED CAPABLE OF OPERATING ON AT LEAST FIVE BANDS FROM 160 THROUGH 10 METERS, MUST HAVE AN ANTENNA, AND MUST HAVE A ~~POWER~~ SUPPLY AND WIRING AS A PERMANENT PART OF THE VEHICLE; THE TRANSMITTING UNIT MAY BE REMOVED FROM THE CAR FOR SERVICE OR DRY STORAGE NONE FOR A MOBILE AMATEUR RADIO STATION VEHICLE INCLUDED IN (b)(1) OR

(2) OF THIS SECTION;]

(9) [(10)] dealer registration plates [,

(A) THE INITIAL SET OF PLATES] \$100 [\$45];

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- 1 [(B) EACH SUBSEQUENT SET OF PLATES \$25;]
- 2 (10) [(11)] a vehicle owned by a municipality, except a municipal utility vehicle
- 3 [OR CHARITABLE ORGANIZATION MEETING THE REQUIREMENTS OF AS 28.10.181(e)]
- 4 \$5;
- 5 (11) [(12) AN OCCASIONAL USE VEHICLE UNDER AS 28.10.181(k) \$15;
- 6 (13)] a vehicle owned by a Pearl Harbor [PEARL HARBOR] survivor or a
- 7 former prisoner of war none;
- 8 (12) [(14) REPEALED
- 9 (15)] special request university plates \$50
- 10 plus the fee required for that vehicle under (b)(1), (2), or (6) [(b)(1) OR (2)] of this section; the
- 11 fee required by this paragraph shall be collected only on the first issuance and on the replacement
- 12 of special request plates; the commissioner of administration shall separately account by
- 13 university campus designation for the fees received under this paragraph that the department
- 14 deposits in the general fund; the annual estimated balance in the accounts that is in excess of the
- 15 cost of issuing special request university plates may be appropriated by the legislature for the
- 16 support of programs at each campus;
- 17 (13) a volunteer fire department or emergency medical response
- 18 vehicle \$5;
- 19 (14) a municipal utility vehicle \$10;
- 20 (15) a charitable organization meeting the requirements of AS 28.10.181(e)
- 21 \$10.

22 * Sec. 13. AS 28.10.421 is amended by adding a new subsection to read:

23 (h) If a person renews a noncommercial vehicle registration by mail on a form prescribed

24 by the department the noncommercial registration fee imposed under this section shall be reduced

25 by \$15 ~~if the~~ applicable registration is \$15 or more.

26 * Sec. 14. AS 28.10.441 is amended to read:

27 Sec. 28.10.441. SCHEDULE OF OTHER FEES AND CHARGES. The following fees

28 and charges are imposed by the department for the stated services that [WHICH] it provides:

29 (1) title fee (including transfer of title) \$25 [\$5];

30 (2) lien filing fee \$10 [\$5];

31 (3) replacement of any registration plate set, including special request plates

- 1 \$25 [\$5];
- 2 (4) duplicate of original certificate of title \$25 [\$5];
- 3 (5) duplicate of certificate of registration \$10 [\$2];
- 4 (6) temporary preregistration permit issued under AS 28.10.031 none;
- 5 (7) special transport permit issued under AS 28.10.151 \$10 [\$5];
- 6 (8) special permit for vehicle used for transport of disabled or handicapped person
- 7 issued under AS 28.10.495 none.

8 * Sec. 15. AS 28.15.271(a) is amended to read:

9 (a) The fees for drivers' licenses and permits, including but not limited to renewals, and
 10 all related driver skills tests are as follows:

- 11 (1) all noncommercial vehicles and motor-driven cycles
 - 12 (A) each license fee \$25 [\$10];
 - 13 (B) each driver skills test \$15;
- 14 (2) all commercial motor vehicles
 - 15 (A) each license fee \$100;
 - 16 (B) each driver skills test \$25;
- 17 (3) instruction permit \$15 [\$3];
- 18 (4) duplicate of driver's license or instruction permit \$15 [\$3];
- 19 (5) temporary license and renewal of permit \$15 [\$3];
- 20 (6) school bus driver's endorsement renewal \$5 [\$3].

21 * Sec. 16. AS 28.22.011(a) is amended to read:

22 (a) The operator or owner of a motor vehicle subject to registration under AS 28.10.011
 23 when driven on a highway, vehicular way or area, or on other public property in the state, shall
 24 be insured under a motor vehicle liability policy that complies with this chapter or a certificate
 25 of self-insurance that complies with AS 28.20.400 unless

- 26 (1) the motor vehicle is being driven or moved on a highway, vehicular way, or
 27 a public parking place in the state that is not connected by a land highway or vehicular way to
 - 28 (A) the land-connected state highway system, or
 - 29 (B) a highway or vehicular way with an average daily traffic volume
 30 greater than 499; and
- 31 (2) the operator has not been cited within the preceding five years for a traffic

1 law violation with a demerit point value of six or more on the point schedule determined under
2 regulations adopted by the department under AS 28.15.221; or

3 (3) the vehicle will travel on state highways less than five percent of its total
4 hours of operation [THE MOTOR VEHICLE IS REGISTERED UNDER AS 28.10.181(k)].

5 * Sec. 17. AS 41.21.020(a) is amended to read:

6 (a) The department shall

7 (1) develop a continuing plan for the conservation and maximum use in the public
8 interest of the scenic, historic, archaeologic, scientific, biological, and recreational resources of
9 the state;

10 (2) plan for and develop a system of state parks and recreational facilities, to be
11 established as the legislature authorizes and directs;

12 (3) acquire by gift, purchase, or transfer from state or federal agencies, or from
13 individuals, corporations, partnerships or associations, land necessary, suitable and proper for
14 roadside, picnic, recreational, or park purposes;

15 (4) control, develop, and maintain state parks and recreational areas;

16 (5) provide for the acquisition, care, control, supervision, improvement,
17 development, extension, and maintenance of public recreational land, and make necessary
18 arrangements, contracts, or commitments for the improvement and development of land acquired
19 under AS 41.21.010 - 41.21.040; contracting for improvement and development under this
20 paragraph is governed by AS 36.30 (State Procurement Code);

21 (6) adopt, in accordance with this section and the Administrative Procedure Act
22 (AS 44.62), regulations governing the use and designating incompatible uses within the
23 boundaries of state park and recreational areas to protect the property and to preserve the peace;

24 (7) cooperate with the United States and its agencies and local subdivisions of the
25 state to ~~secure~~ the effective supervision, improvement, development, extension, and maintenance
26 of state parks, state monuments, state historical areas, and state recreational areas, and secure
27 agreements or contracts for the purpose of AS 41.21.010 - 41.21.040;

28 (8) encourage the organization of state public park and recreational activities in
29 the local political subdivisions of the state;

30 (9) provide for consulting service designed to develop local park and recreation
31 facilities and programs;

1 (10) provide clearinghouse services for other state agencies concerned with park
2 and recreation matters;

3 (11) perform other duties as are prescribed by executive order or by law;

4 (12) maintain memorials to Alaska veterans located in state parks; [AND]

5 (13) adopt, in accordance with the Administrative Procedure Act (AS 44.62),
6 regulations governing the use of the Chena River State Recreation Area and designating
7 incompatible uses within the boundaries of the Chena River State Recreation Area in accordance
8 with AS 41.21.490; and

9 (14) accept cash and other donations from public or private sources to assist
10 and support the department in carrying out the purposes of this chapter.

11 * Sec. 18. AS 41.21.026(a) is amended to read:

12 (a) Notwithstanding (b) of this section, the [THE] department may charge or collect
13 a fee in a park unit for

14 (1) rental of public use cabins or other overnight lodgings;

15 (2) [OVERNIGHT] use of a developed or en route campsite;

16 (3) special park use permits;

17 (4) competitive and exclusive commercial use permits;

18 (5) noncompetitive and nonexclusive commercial use permits;

19 (6) use of a sewage holding tank dump station;

20 (7) admission to or guided tours of visitor centers or historic sites; [AND]

21 (8) use of an improved boat ramp in a park facility developed principally for boat
22 launching;

23 (9) sale of firewood;

24 (10) use of a developed trailhead, access site, or picnic site, that has parking,
25 rest rooms, and refuse collection; and

26 (11) the presentation or attendance at programs related to natural or cultural
27 history, outdoor skills or education, or other topics concerned with public use, enjoyment,
28 or understanding of parks.

29 * Sec. 19. AS 41.21.026(e) is amended to read:

30 (e) In this section,

31 (1) "developed campsite" means a campsite having access to the following public

1 facilities:

2 (A) [(1)] rest rooms;

3 (B) [(2)] a picnic table;

4 (C) [(3)] an outdoor cooking facility; and

5 (D) [(4)] an approved water source;

6 (2) "en route campsite" means a campsite intended principally for short-term
7 occupation while in transit between destinations, and not necessarily having any of the
8 public facilities required for a developed campsite under (1) of this subsection.

9 * Sec. 20. AS 42.05 is amended by adding a new section to read:

10 Sec. 42.05.253. PUBLIC UTILITY REGULATORY COST CHARGE. (a) A regulated
11 public utility operating in the state shall pay to the commission an annual regulatory cost charge
12 in an amount not to exceed .61 percent of gross revenue derived from operations in the state, as
13 modified under (c) of this section if appropriate. An exempt utility shall pay the actual cost of
14 services provided to it by the commission.

15 (b) The commission shall by regulation establish a method to determine annually the
16 amount of the regulatory cost charge for a public utility. If the amount the commission expects
17 to collect under (a) of this section and under AS 42.06.285(a) exceeds the authorized budget of
18 the commission, the commission shall, by order, reduce the percentages set out in (a) of this
19 section so that the total amount of the fees collected approximately equals the authorized budget
20 of the commission for the fiscal year.

21 (c) In determining the amount of the regulatory cost charge imposed under (a) of this
22 section,

23 (1) a utility selling utility services at wholesale shall modify its gross revenue by
24 deducting payments it receives for wholesale sales;

25 ~~25~~ (2) a local exchange telephone utility shall modify its gross revenue by deducting
26 payments received from other carriers for settlements or access charges.

27 (d) The commission shall calculate the total regulatory cost charges to be levied against
28 all regulated electric utilities under this section. The commission shall allocate the total amount
29 among the regulated electric utilities by using an equal charge per kilowatt hour sold at retail.

30 (e) The commission shall administer the charge imposed under this section. The
31 Department of Revenue shall collect and enforce the charge imposed under this section.

1 (f) The commission shall allow a public utility to recover all payments made to the
2 commission under this section. The commission may not require a public utility to file a rate
3 case in order to be eligible to recover the regulatory cost charge.

4 (g) The commission may adopt regulations under AS 44.62 (Administrative Procedure
5 Act) necessary to administer this section, including requirements and procedures for reporting
6 information and making quarterly payments. The Department of Revenue may adopt regulations
7 under AS 44.62 (Administrative Procedure Act) for investigating the accuracy of filed
8 information, and for collecting required payments.

9 (h) In this section,

10 (1) "exempt utility" means a public utility that is certificated by the commission
11 under AS 42.05.221 - 42.05.281 but, in accordance with AS 42.05.711, is exempt from other
12 regulatory requirements of this chapter;

13 (2) "gross revenue" means the total operating revenue from intrastate services, as
14 shown in a utility's annual report required by the commission by regulation;

15 (3) "regulated utility" means a public utility that is certificated by the commission
16 under AS 42.05.221 - 42.05.281 and that is subject to the other regulatory requirements of this
17 chapter;

18 (4) "wholesale sales" means sales to another utility for resale under circumstances
19 that make revenue from the resale subject to the regulatory cost charge imposed under this
20 section.

21 * Sec. 21. AS 42.05.651(a) is amended to read:

22 (a) During [AFTER COMPLETION OF] a hearing or investigation held under this
23 chapter, the commission may [SHALL] allocate the costs of the hearing or investigation among
24 the parties, including the commission, as is just under the circumstances. In allocating costs, the
25 commission shall consider the regulatory cost charge paid by a utility under AS 42.05.253
26 and may consider the results, ability to pay, evidence of good faith, other relevant factors, and
27 mitigating circumstances. Notwithstanding an intervening party's ability to pay, if the
28 commission determines that an intervening party has conducted its intervention in a
29 frivolous manner, the commission shall allocate all costs associated with the intervention to
30 that party. The costs allocated may include the costs of any time devoted to the investigation
31 or hearing by hired consultants, whether or not the consultants appear as witnesses or

1 participants. The costs allocated may also include any out-of-pocket expenses incurred by the
2 commission in the particular proceeding. The commission shall provide an opportunity for any
3 person objecting to an allocation to be heard before the allocation becomes final.

4 * Sec. 22. AS 42.05.661 is amended to read:

5 Sec. 42.05.661. APPLICATION FEES. With each application relating to a certificate
6 the applicant shall pay the commission a fee set by the commission by regulation that [OF \$50
7 WHICH] shall be deposited in the general fund of the state.

8 * Sec. 23. AS 42.06 is amended by adding a new section to read:

9 Sec. 42.06.285. PIPELINE CARRIER REGULATORY COST CHARGE. (a) A pipeline
10 carrier operating in the state shall pay to the commission an annual regulatory cost charge in an
11 amount not to exceed .61 percent of gross revenue derived from operations in the state. A
12 regulatory cost charge may not be assessed on pipeline carrier operations unless the operations
13 are within the jurisdiction of the commission.

14 (b) The commission shall by regulation establish a method to determine annually the
15 amount of the regulatory cost charge. If the amount the commission expects to collect under (a)
16 of this section and under AS 42.05.253(a) exceeds the authorized budget of the commission, the
17 commission shall, by order, reduce the percentage set out in (a) of this section so that the total
18 amount of the fees collected approximately equals the authorized budget of the commission for
19 the fiscal year.

20 (c) The commission shall administer the charge imposed under this section. The
21 Department of Revenue shall collect and enforce the charge imposed under this section.

22 (d) The commission may adopt regulations under AS 44.62 (Administrative Procedure
23 Act) necessary to administer this section, including requirements and procedures for reporting
24 information and making quarterly payments. The Department of Revenue may adopt regulations
25 under ~~AS 44.62~~ (Administrative Procedure Act) for investigating the accuracy of filed
26 information, and for collecting required payments.

27 (e) In this section, "gross revenue" means the total intrastate operating revenue as shown
28 in a pipeline carrier's annual report required by the commission by regulation.

29 * Sec. 24. AS 42.06.610(a) is amended to read:

30 (a) During a proceeding held under this chapter, the commission may [SHALL] allocate
31 the cost of the proceeding among the parties, including the commission, as is just under the

1 circumstances. In allocating costs, the commission shall consider the regulatory cost charge
2 paid directly or indirectly under AS 42.06.285. The costs allocated may include the costs of
3 any time devoted to investigations or hearings by hired consultants, whether or not the
4 consultants appear as witnesses or participants. The commission shall provide an opportunity for
5 any person objecting to an allocation to be heard before the allocation becomes final.

6 * Sec. 25. AS 44.21.310(b) is amended to read:

7 (b) The department may

8 (1) coordinate its functions with local, regional, state, and federal officials, private
9 groups and individuals, and with officials of other countries, provinces, and states;

10 (2) enter into contracts and subcontracts on behalf of the state to carry out the
11 provisions of AS 44.21.305 - AS 44.21.330;

12 (3) act for the state in the initiation, investigation, and evaluation of, or
13 participation in, programs related to the purposes of the department that [WHICH] involve more
14 than one government or governmental unit;

15 (4) on behalf of the state, apply for, accept, and expend gifts or grants made to
16 the state if the gifts or grants are for the purposes of furthering the objectives of the department;
17 [AND]

18 (5) hold public hearings to obtain information for the purpose of carrying out the
19 provisions of AS 44.21.305 - 44.21.330; and

20 (6) charge a fee for telecommunication services provided by the department
21 to commercial entities for television broadcast.

22 * Sec. 26. AS 44.21.410(a) is amended to read:

23 (a) The office of public advocacy shall

24 (1) perform the duties of the public guardian under AS 13.26.360 - 13.26.410;

25 (2) provide visitors and experts in guardianship proceedings under AS 13.26.131;

26 (3) provide guardian ad litem services to children in child protection actions under
27 AS 47.17.030(e) and to wards and respondents in guardianship proceedings who will suffer
28 financial hardship or become dependent upon a government agency or a private person or agency
29 if the services are not provided at state expense under AS 13.26.112;

30 (4) provide legal representation in guardianship proceedings to respondents who
31 are financially unable to employ attorneys under AS 13.26.106(b), to indigent parties in cases

1 involving child custody in which the opposing party is represented by counsel provided by a
2 public agency, to indigent parents or guardians of a minor respondent in a commitment
3 proceeding concerning the minor under AS 47.30.775;

4 (5) provide legal representation and guardian ad litem services under
5 AS 25.24.310; in cases arising under AS 47.15 (Uniform Interstate Compact on Juveniles); in
6 cases involving petitions to adopt a minor under AS 25.23.125(b) or petitions for the termination
7 of parental rights on grounds set out in AS 25.23.180(c)(3); in cases involving petitions to
8 remove the disabilities of a minor under AS 09.55.590; in children's proceedings under
9 AS 47.10.050(a); and in cases involving indigent persons who are entitled to representation under
10 AS 18.85.100 and who cannot be represented by the public defender agency because of a conflict
11 of interests;

12 (6) develop and coordinate a program to recruit, select, train, assign, and supervise
13 volunteer guardians ad litem from local communities to aid in delivering services in cases in
14 which the office of public advocacy is appointed as guardian ad litem;

15 (7) provide guardian ad litem services in proceedings under AS 12.45.046;

16 (8) establish a fee schedule and collect fees for services provided by the office,
17 except as provided in AS 18.85.120 or when imposition or collection of a fee is not in the
18 public interest as defined under regulations adopted by the commissioner of administration.

19 * Sec. 27. AS 44.28 is amended by adding new sections to read:

20 Sec. 44.28.040. FEES. Notwithstanding AS 09.25.110 - 09.25.130, the department may
21 establish by regulation and may charge reasonable fees for

22 (1) training; and

23 (2) departmental publications and research data to cover the cost of reproduction,
24 printing, mailing, and distribution.

25 ~~Sec. 44.28.090.~~ DEFINITIONS. In this chapter,

26 (1) "commissioner" means the commissioner of corrections;

27 (2) "department" means the Department of Corrections.

28 * Sec. 28. AS 44.46.025(a) is amended to read:

29 (a) The Department of Environmental Conservation may adopt regulations that prescribe
30 reasonable fees, and establish procedures for the collection of the fees, to cover the direct costs
31 of the following services provided by the department:

1 (1) inspections, permit administration, plan review and approval, and other related
2 services provided under AS 03.05, AS 17.20, and AS 18.35;

3 (2) air quality permits under AS 46.03.140 and 46.03.160;

4 (3) hazardous waste permits under AS 46.03.299 and 46.03.302;

5 (4) plan approvals and permits for sewerage system and treatment works and
6 wastewater disposal systems, and plan approvals for drinking water systems, under AS 46.03.720;

7 (5) oil discharge financial responsibility approvals under AS 46.04.040;

8 (6) oil discharge contingency plan approvals under AS 46.04.030;

9 (7) water and wastewater operator training under AS 46.30;

10 (8) inspections under AS 44.46.020 of swimming pools, spas, hot tubs,
11 barbershops, hairdressing and cosmetological establishments, daycare residential child care
12 facilities, adult residential care facilities, pre-elementary school facilities, facilities that sell
13 or commercially produce compressed air for human respiration, and public
14 accommodations;

15 (9) inspections under AS 18.35.220 of public facilities, toilets, lavatories,
16 showers, laundromats, and tatoo parlors;

17 (10) siting approvals of hazardous waste management facilities issued under
18 AS 46.03.296;

19 (11) reviews of sewage and industrial waste disposal or treatment plans
20 conducted under AS 46.03.090;

21 (12) permits for applications of pesticides and broadcast chemicals issued
22 under AS 46.03.320.

23 * Sec. 29. AS 44.50.040 is amended to read:

24 Sec. 44.50.040. FEES. A fee established by the lieutenant governor by regulation [OF
25 \$40] ~~shall be paid~~ to the lieutenant governor for each commission issued to a person other than
26 a state employee.

27 * Sec. 30. TEMPORARY FEES IN STATE PARKS. (a) The following fees apply for the following
28 activities in units of the state park system until the Department of Natural Resources adopts a regulation
29 under AS 41.21.026(c) that establishes a fee for that activity:

30 (1) sale of firewood \$4 per bundle;

31 (2) use of a developed trailhead, access site, or picnic site, that has parking, rest rooms,

- 1 and refuse collection \$2 per vehicle, or \$25 for an annual pass;
- 2 (3) admission to visitor centers or historic sites \$1 per person;
- 3 (4) use of an en route campsite \$3 per vehicle.

4 (b) The commissioner of natural resources shall notify the revisor of statutes when a regulation
5 is adopted that establishes a fee for an activity described under (a) of this section.

6 * Sec. 31. Section 30 of this Act is repealed on a date that is two years after the effective date of this
7 section.

8 * Sec. 32. AS 24.45.041(g) is repealed.

9 * Sec. 33. AS 28.10.165, 28.10.181(k), 28.10.411(f), 28.10.421(f), and AS 28.15.271(b) are repealed.

10 * Sec. 34. Section 11 of this Act takes effect January 1, 1996.

11 * Sec. 35. Sections 3 - 5, 8 - 10, 12 - 16, 32, and 33 of this Act take effect January 1, 1993.

12 * Sec. 36. Sections 20 - 24 of this Act take effect July 1, 1992.

13 * Sec. 37. Except as provided in secs. 34 - 36 of this Act, this Act takes effect immediately under
14 AS 01.10.070(c).

updated 9:00 pm

5/14/92

CS HB 597 (Finance)

Section 1: Conforming amendment to Motor Vehicle schedule changes

Section 2: Allows the Alaska Public Offices Commission to establish fees for reports, statements, and filings, etc.

Section 3: Amends the Resident sport hunting and fishing licenses; adds a King Salmon tag

Generates additional Fish and Game revenue \$3,211.1

Section 4,5: Adds wildlife conservation tag program

Generates additional Fish and Game revenue \$35.0

Section 6: Allows the Department of Labor to establish fees for the asbestos certification program.

Transfer from GF \$97.3

(Includes additional program receipts for other programs already allowed under regulation to charge fees)

Section 7: DMV increase in identification card fee.

(See analysis for sections 10-18)

Section 8: DMV registration conforming amendment

Section 9,10,11,12,13,14,15,: Amends DMV fee schedule

Generates additional GF revenue \$13,208.0

(Revenue for FY93 is for 1/2 year- future year revenues anticipated to be \$26,415.1)

Section 16: DMV conforming amendment

Section 17: Allows the Department of Natural Resources to accept cash and other donations for purposes of the department.

Section 18,19: Provide for day fees for park/campsite use.

Transfer from GF: \$150.0

Section 20,21,22,23,24: Allows the Alaska Public Utilities Commission to recover regulatory costs through the establishment of an utility assessment.

Transfer from GF: \$3,717.1

Section 25: Allows the Division of Telecommunications to charge for commercial transmission on state systems.

Transfer from GF: \$50.0

Section 26: Allows the Office of Public Advocacy to establish fees.

revenue unknown

Section 27: Allows the Department of Corrections to recover costs for publications.

revenue unknown

Section 28: Allows inspection fees for DEC to provide consistency in which entities may be charged.

revenue unknown

Section 29: Allows the Lt. Governor to establish notary public fees by regulation for anyone but state employees. Previously statute set fee at \$40.

revenue unknown

Section 30: Sets up temporary fees in state parks for limited activities.

(see analysis for Sections 19-21)

Section 31: repeals Section 30 after two years.

Section 32: Repeals APOC lobbyist fee

Section 33: Repeals portions of DMV schedules reincorporated into new language in previous sections.

Sections 34,35,36,37: Effective date clauses.

Total General/Other fund impact: \$23,630.5